



## **PUBLIC NOTICE**

### **LOBBYIST REGULATION ORDINANCE**

### **REGISTRATION REQUIREMENTS**

Persons, consultants, businesses and organizations who lobby any City official or employee are required to register as lobbyists with the City of Long Beach if they are: [1] a person who represents clients under an agreement for compensation of \$3,200, during any three month period; [2] owners, officers or employees of businesses or organizations who, in aggregate, engage in lobbying fifty (50) or more hours, during any three month period; and [3] a person who expends \$5,000 or more during a calendar year in connection with carrying out public relations with the intent of soliciting other persons to influence legislative or administrative action.

Registration of a lobbyist must occur within 15 days after meeting the above criteria and annual registration is due each calendar year by January 15. Thereafter, quarterly reports are due to the City Clerk Department by April 15, July 15, October 15 and January 15 of each calendar year.

Registration forms are available in the City Clerk Department, City Hall Lobby Level, or at the City Clerk Internet homepage.

Any person who knowingly or willfully violates or causes any other person to violate any provision of the Lobbyist Regulation Ordinance is guilty of a misdemeanor.

Under the Lobbyist Regulation Ordinance, it is unlawful for any lobbyist to deliver or cause to be delivered any gift to any City official, and for any City official to accept any gift from a lobbyist.

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Larry Herrera  
City Clerk  
Effective: April 11, 2010



## City of Long Beach

### FREQUENTLY ASKED QUESTIONS

#### Am I a lobbyist?

The ordinance defines lobbying as the influencing or attempting to influence a legislative or administrative action of the City. The three types of lobbyists are as follows:

- **Contract lobbyist:** A person who engages in lobbying on behalf of one or more clients (acting individually or through agents, associates, employees or contractors) and who has received or has entered into an agreement for compensation of \$3,200 or more ("threshold compensation") for engaging in lobbying during any consecutive three-month period.
- **Business or organization lobbyist:** Any business or organization, whose owner(s), officers(s) or employee(s) carry out lobbying on its behalf, in an aggregate amount of fifty (50) hours or more within any three month period, whether or not such officers or employees are specifically compensated to engage in lobbying; provided that the activities of officers shall be considered lobbying only if those officers receive compensation by the business or organization beyond reimbursement for their reasonable, travel, meals or incidental expenses.
- **Expenditure lobbyist:** A person who makes payments or incurs expenditures of five thousand dollars (\$5,000) or more during any calendar year in connection with carrying out public relations, advertising or similar activities with the intent of soliciting or urging, directly or indirectly, other persons to communicate directly with any City Official in order to attempt to influence legislative or administrative action. The five thousand dollar (\$5,000) threshold shall not include: (a) compensation paid to contract lobbyists or employees of lobbying; or (b) dues payments, donations, or other economic consideration paid to an organization, regardless of whether the dues payments, donations or other economic consideration are used in whole or in part to lobby.

#### What is NOT considered a lobbyist under the ordinance?

- Any public official acting in his or her official capacity or acting within the scope of his or her employment or appointment.
- The media, when limiting its action to the ordinary course of news gathering or editorial activity, as carried out by members of the press. "Media" shall mean newspapers or any other regularly published periodical, radio or television station or network or information published on the Internet. This exemption shall also apply to neighborhood newsletters, flyers or gazettes.
- Persons reimbursed for only their reasonable travel, meals or incidental expenses, including but not limited to, uncompensated members or directors of non-profit organizations such as chambers of commerce.



## City of Long Beach

- Persons whose communications regarding any legislative or administrative action are limited to appearing or submitting testimony at any public meeting held by the City or any of its agencies, offices, or departments, as long as the communications thereto are public records available for public review. Notwithstanding the foregoing, persons who otherwise qualify as lobbyists must register and disclose their lobbying activities directed toward City officials, in the same manner and to the same extent such registration and disclosure is required of all other lobbyists.
- Persons submitting bids or responding to requests for proposals, provided the provision of such information is limited to direct conversation or correspondence with the official or department specifically designated to receive such information.
- Persons providing oral or written information pursuant to a subpoena or otherwise compelled by law or regulation, or in response to an official request provided that the request and response thereto are public records available for public review.
- Persons whose communications relate to:
  - The establishment, amendment, administration, implementation or interpretation of a collective bargaining agreement or a memorandum of understanding between the City and a recognized employee association.
  - Management decisions as to the working conditions of represented employees that clearly relate to the terms of a collective bargaining agreement or memorandum of understanding between the City and a recognized employee association.
  - Proceedings before the City's Civil Service Commission.
- Boardmembers or employees of non-profit 501 corporations.
- Members of neighborhood associations or project area committees.
- Boardmembers and employees of organizations representing City business improvement districts.



## City of Long Beach

### Q & A

Q: Can a qualified lobbyist take a City employee to lunch, dinner, etc. if no City business is discussed?

A: No. Qualified lobbyists are not allowed to pay for another City official/employee in any way as it is considered a gift and in violation of the Ordinance.

Q: If I am a personal friend with a City official and we meet up just to talk about personal matters, is that in violation of the Ordinance?

A: No. As long as no City business is discussed there is no violation of the Ordinance. However, if the personal conversation eventually turns to any City business matter, the time is then considered spent on lobbying and must be counted as qualifying lobbying hours for registration.

Q: Are the 50 hours just for the City of Long Beach or all the municipalities that I work with combined?

A: The 50 hours is just your work with the City of Long Beach.

Q: Are the 50 hours calculated for time spent with city officials and at city council meetings only, or does it also include time putting together documents and presentations associated with those meetings?

A; The 50 hours is calculated counting only the time that you spend with the official, not preparation for the meeting.



## City of Long Beach

### REGISTRATION AND FILING REQUIREMENTS

#### **How do I register?**

Lobbyist registration forms are available in the City Clerk Department, at 333 W. Ocean Blvd., Long Beach, CA 90802, or on the web at:

<http://www.longbeach.gov/cityclerk/agenda/default.asp>

The text of the lobbyist registration ordinance is available on the web at:

<http://www.longbeach.gov/civica/filebank/blobdload.asp?BlobID=26729>

#### **When do I need to register?**

Lobbyists shall register with the City Clerk within fifteen (15) days after qualifying as a lobbyist. (Qualifications are listed in the FAQ section under lobbyist definitions.)

#### **When do I need to file the annual report?**

A lobbyist shall renew his or her registration by January 15 or each year unless he or she has terminated their status as a lobbyist by such date.

#### **When do I need to file the quarterly reports?**

After registration, lobbyist must file quarterly reports, in duplicate, by April 15, July 15, October 15 and January 15, for the prior calendar quarter. Given the April 11, 2010, effective date of the lobbyist regulation ordinance, the first quarterly report will be due July 15, 2010.

#### **What are the fees?**

Persons subject to the registration requirements of this ordinance shall pay an annual fee of one hundred dollars (\$100.00). Persons registering for the first time on or after June 30 of a given year shall pay a reduced registration fee of fifty dollars (\$50.00). In addition to the annual fee, each registrant shall pay twenty-five dollars (\$25.00) per client for whom lobbying is undertaken for compensation in excess of five hundred dollars (\$500.00).